

Benjamin Nadig, Esq.  
Nevada State Bar No. 9876  
**LAW OFFICES OF BENJAMIN NADIG, CHTD.**  
228 South Fourth Street, 3<sup>rd</sup> Floor  
Las Vegas, NV 89101  
P: (702) 545-7592  
F: (702) 382-6903  
*Attorney for Defendant Perez-Rodriguez*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

**UNITED STATES OF AMERICA,**

Case No. 2:22-cr-00033-RFB-NJK

**Plaintiff,**

**STIPULATION TO CONTINUE  
SENTENCING HEARING (FIRST  
REQUEST)**

Defendant.

CHRISTOPHER PEREZ-RODRIGUEZ,

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for Plaintiff the United States of America, and Benjamin Nadig, counsel for Christopher Perez-Rodriguez, that the sentencing hearing scheduled for the 22<sup>nd</sup> day of March, 2024, be vacated and set to a date and time convenient to this Court, but no sooner than 30 (30) days.

The Stipulation is entered into for the following reasons:

1. Defense counsel needs additional time to explore all factors relevant effectively and thoroughly to Mr. Perez-Rodriguez's sentencing and mitigation presentation in general, and to complete a thorough sentencing memorandum for this Court's consideration.

2. The Defendant is currently in custody at the Nevada Southern Detention Center and does not object to the continuance.

3. The additional time requested herein is not sought for purposes of delay.

4. All parties agree to the continuance.

5. This is the first stipulation to continue sentencing.

6. The additional time requested by this stipulation is reasonable pursuant to Fed.

R. Crim. P. 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing does not implicate or undermine the defendant’s speedy trial rights under the United States Constitution, which terminated upon conviction. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).

7. Additionally, denial of this request for continuance could result in a miscarriage of justice.

DATED this 20<sup>th</sup> day of March, 2024.

Law Offices of Benjamin Nadig, Chtd.

By: /s/ Benjamin Nadig  
BENJAMIN NADIG, ESQ.  
Attorney for Defendant  
Christopher Perez-Rodriguez

By: */s/* *Melanee Smith*  
MELANEE SMITH, ESQ.  
Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

CHRISTOPHER PEREZ-RODIRGUEZ,

Defendant.

Case No. 2:22-cr-00033-RFB-NJK

## ORDER

## ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense counsel needs additional time to explore all factors relevant effectively and thoroughly to Mr. Perez-Rodriguez's sentencing and mitigation presentation in general, and to complete a thorough sentencing memorandum for this Court's consideration.
2. The Defendant is currently in custody at the Nevada Southern Detention Center and does not object to the continuance.
  3. The additional time requested herein is not sought for purposes of delay.
  4. All parties agree to the continuance.
  5. This is the first stipulation to continue sentencing.
  6. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim. P. 32(b)(2), which states that the "court may, for good cause, change any time limits prescribed [for sentencing] in this rule." Furthermore, a delay in sentencing does not implicate or undermine the defendant's speedy trial rights under the United States Constitution, which terminated upon conviction. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).

7. Additionally, denial of this request for continuance could result in a miscarriage of justice.

IT IS FURTHER ORDERED that the Sentencing Hearing currently scheduled for the 22<sup>nd</sup> day of March 2024, at the hour of 1:00 p.m., be vacated and continued to April 23, 2024 at 9:00 a.m.

8

---

HONORABLE RICHARD F. BOULEWARE  
UNITED STATES DISTRICT JUDGE